

AO 245D (Rev. 8/96) Sheet 1 - Judgment in a Criminal Case for Revocation

FILED IN THE  
UNITED STATES DISTRICT COURT  
DISTRICT OF HAWAII**United States District Court**  
**District of Hawaii**

AUG 23 2005

at 11 o'clock and 50 min. PM  
SUE BEITIA, CLERK

UNITED STATES OF AMERICA

v.

**JOHNATHAN K. TAGATAC**

(Defendant's Name)

**JUDGMENT IN A CRIMINAL CASE**

(For Revocation of Probation or Supervised Release)

(For Offenses committed on or after November 1, 1987)

Criminal Number: 1:03CR00247-001USM Number: 90067-022**Arthur Ross, Esq.**

Defendant's Attorney

**THE DEFENDANT:**

- ☒ admitted guilt to violation of condition(s) General Condition; Special Condition No. 1; and Special Condition No. 2 of the term of supervision.
- ☐ was found in violation of condition(s) \_\_\_\_\_ after denial or guilt.

**Violation Number**

See next page.

**Nature of Violation****Date Violation****Occurred**

The defendant is sentenced as provided in pages 2 through 5 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

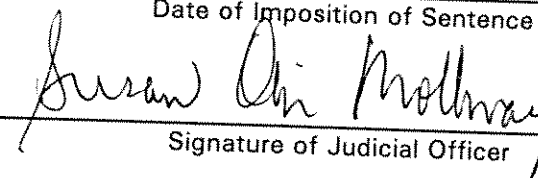
- ☐ The defendant has not violated condition(s) \_\_\_\_\_ and is discharged as to such violation(s) condition.

IT IS FURTHER ORDERED that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid.

Defendant's Soc. Sec. No.: 6999Defendant's Residence Address:  
**None**Defendant's Mailing Address:  
**None**

AUGUST 18, 2005

Date of Imposition of Sentence



Signature of Judicial Officer

**SUSAN OKI MOLLWAY, United States District Judge**  
Name & Title of Judicial Officer

AUG 23 2005

Date

AO 245 D (Rev. 3/95) Judgment in a Criminal Case for Revocation Sheet I

CASE NUMBER: 1:03CR00247-001

DEFENDANT: JOHNATHAN K. TAGATAC

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## ADDITIONAL VIOLATION

<u>Violation Number</u>	<u>Nature of Violation</u>	<u>Date Violation Concluded</u>
1	Subject refused to report for drug testing	1/5/05
		1/11/05
2	Subject violated Victory Ohana rules and was terminated from its program	1/11/05
3	Subject admitted smoking methamphetamine	1/3/05
		1/10/05
		December 2004
4	Subject failed to attend counseling sessions at Hina Mauka	12/29/04
		1/5/05
5	Subject was terminated from the Po'ailani dual diagnosis residential treatment program	8/10/05

AO 245B (Rev. 12/03) Sheet 2 - Imprisonment

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DEFENDANT: JOHNATHAN K. TAGATAC

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## IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of TWENTY FOUR (24) MONTHS.

☐ The court makes the following recommendations to the Bureau of Prisons:

☒ The defendant is remanded to the custody of the United States Marshal.

☐ The defendant shall surrender to the United States Marshal for this district.  
☐ at \_\_\_ on \_\_\_\_.  
☐ as notified by the United States Marshal.

☐ The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:  
☐ before \_ on \_\_\_\_.  
☐ as notified by the United States Marshal.  
☐ as notified by the Probation or Pretrial Services Officer.

## RETURN

I have executed this judgment as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Defendant delivered on \_\_\_\_\_ to \_\_\_\_\_  
at \_\_\_\_\_, with a certified copy of this judgment.

\_\_\_\_\_  
UNITED STATES MARSHAL

By \_\_\_\_\_  
Deputy U.S. Marshal

AO 245 S (Rev. 12/03) Sheet 5, Part B - Criminal Monetary Penalties

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DEFENDANT: JOHNATHAN K. TAGATAC

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**CRIMINAL MONETARY PENALTIES**

The defendant must pay the total criminal monetary penalties under the schedule of payments on Sheet 6.

Totals:	<u>Assessment</u>	<u>Fine</u>	<u>Restitution</u>
	\$	\$	\$ 1,337.87

☐ The determination of restitution is deferred until . An *Amended Judgment in a Criminal Case* (AO245C) will be entered after such a determination.

☐ The defendant must make restitution (including community restitution) to the following payees in the amount listed below.

If the defendant makes a partial payment, each payee shall receive an approximately proportioned payment, unless specified otherwise in the priority order or percentage payment column below. However, pursuant to 18 U.S.C. §3664(i), all non-federal victims must be paid before the United States is paid.

<u>Name of Payee</u>	<u>Total Loss*</u>	<u>Restitution Ordered</u>	<u>Priority or Percentage</u>
Anthony Price		\$418.83	
Comptroller, Commander, Navy Region Hawaii		\$919.04	

<b>TOTALS</b>	\$ _	\$ <u>1,337.87</u>
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☐ Restitution amount ordered pursuant to plea agreement \$ \_

☐ The defendant must pay interest on restitution and a fine of more than \$2500, unless the restitution or fine is paid in full before the fifteenth day after the date of the judgment, pursuant to 18 U.S.C. §3612(f). All of the payment options on Sheet 6 may be subject to penalties for delinquency and default, pursuant to 18 U.S.C. §3612(g).

☐ The court determined that the defendant does not have the ability to pay interest and it is ordered that:

☐ the interest requirement is waived for the ☐ fine ☐ restitution

☒ the interest requirement for the ☐ fine ☒ restitution is modified as follows:

Interest, if applicable, is waived while the defendant is serving his term of imprisonment and shall commence to accrue on any remaining balance upon his release.

AO 245 S (Rev. 12/03) Sheet 5, Part B - Criminal Monetary Penalties

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**SCHEDULE OF PAYMENTS**

Having assessed the defendant's ability to pay, payment of the total criminal monetary penalties are due as follows:

- A ☐ Lump sum payment of \$ \_ due immediately, balance due  
☐ not later than \_ , or  
☐ in accordance ☐ C, ☐ D, ☐ E, or ☐ F below, or
- B ☒ Payment to begin immediately (may be combined with ☐ C, ☐ D, or ☐ F below); or
- C ☐ Payment in equal \_ (e.g., weekly, monthly, quarterly) installments of \$ \_ over a period of \_ (e.g., months or years), to commence \_ (e.g., 30 or 60 days) after the date of this judgment ; or
- D ☐ Payment in equal \_ (e.g., weekly, monthly, quarterly) installments of \$ \_ over a period of \_ (e.g., months or years), to commence \_ (e.g., 30 or 60 days) after the release from imprisonment to a term of supervision; or
- E ☐ Payment during the term of supervised release will commence within \_ (e.g., 30 or 60 days) after release from imprisonment. The court will set the payment plan based on an assessment of the defendant's ability to pay at that time; or
- F ☒ Special instructions regarding the payment of criminal monetary penalties:  
Restitution of \$418.83 is due immediately to Anthony Price and restitution of \$919.04 is due immediately to Comptroller, Commander, Navy Region Hawaii, and any remaining balance upon release from confinement.

Unless the court has expressly ordered otherwise, if this judgment imposes imprisonment, payment of criminal monetary penalties is due during imprisonment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons' Inmate Financial Responsibility Program, are made to the Clerk of the Court.

The defendant shall receive credit for all payments previously made toward any criminal monetary penalties imposed.

☐ Joint and Several

Defendant and Co-Defendant Names and Case Numbers (including defendant number, Total Amount, Joint and Several Amount, and corresponding pay, if appropriate.

☐ The defendant shall pay the cost of prosecution.

☐ The defendant shall pay the following court cost(s):

☐ The defendant shall forfeit the defendant's interest in the following property to the United States:

Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) fine principal, (5) fine interest, (6) community restitution, (7) penalties, and (8) costs, including cost of prosecution and court costs.